

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON MARTIN WILLETTE,

Plaintiff,

v.

Case No. 14-11637

COMMISSIONER OF SOCIAL
SECURITY,

HON. TERRENCE G. BERG
HON. MICHAEL J. HLUCHANIUK

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION (DKT. 15)

This matter is before the Court on Magistrate Judge Michael J. Hluchaniuk's August 24, 2015 Report and Recommendation (Dkt. 15), recommending that Plaintiff's motion for summary judgment be GRANTED IN PART, that Defendant's motion for summary judgment be DENIED IN PART, and that this case be remanded to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will,

therefore, accept the Magistrate's Report and Recommendation of August 24, 2015, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Hluchaniuk's Report and Recommendation of August 24, 2015 (Dkt. 15) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Plaintiff's motion for summary judgment (Dkt. 14) is **GRANTED IN PART**, Defendant's motion for summary judgment (Dkt. 16) is **DENIED IN PART**, and that this case is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings.

SO ORDERED.

Dated: September 18, 2015

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on September 18, 2015, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager